

IN THE DISTRICT COURT IN AND FOR TULSA COUNTY
STATE OF OKLAHOMA

DISTRICT COURT
FILED
JUN 26 2013

WILLIE and CHARLENE MCCRARY,

Plaintiff,

v.

COUNTRY MUTUAL INSURANCE
COMPANY D/B/A COUNTRY
FINANCIAL,

Defendant.

SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

Case No.:

Attorneys' Lien Claimed

Jury Trial Demanded

CJ-2013-03041

PETITION

E. MARK BARCUS

COME NOW the Plaintiffs and for this their claim and causes of action against the
Defendant state and allege:

COUNT ONE

I

Plaintiffs, Willie and Charlene McCrary, are residents of Tulsa County, State of
Oklahoma.

II

Defendant, Country Mutual Insurance Company d/b/a Country Financial, is a
domesticated insurance in Oklahoma.

III

At all times material herein, Plaintiffs were insured under a homeowners policy
issued by Defendant.

IV

Plaintiff suffered an insured loss under their policy on 28 June, 2012 and made

\\Ffh-srv-02\kathy docs\FWF\MCCRARY, Charlene 13-0357\Petition 062013.wpd/vs

EXHIBIT

4

claim thereunder for benefits, but Defendant has wholly failed, refused and neglected to pay the claim.

V

The Defendant, Country Mutual Insurance Company d/b/a Country Financial, breached its contract of insurance with the Plaintiff by refusing to pay the legitimate claim of Plaintiffs.

IV.

The actions of Defendant in adjusting the loss suffered by Plaintiff was a reckless and willful failure to exercise good faith and fair dealing, for which Plaintiff suffered emotion distress, loss of monies and other damages.

WHEREFORE, premises considered, Plaintiff prays for judgment against Defendant for a sum in excess of \$10,000.00 actual damages, a sum in excess of \$10,000.00 for punitive damages, interest, costs, attorneys' fees and such other and further relief to which they are deemed entitled.

Respectfully submitted,

FRASIER, FRASIER & HICKMAN, LLP

By: 

Steven R. Hickman, OBA #4172
Frank W Frasier, OBA #17864
George M. Miles, OBA #11433
1700 Southwest Boulevard
Tulsa, OK 74107-1730
(918) 584-4724
(800) 522-4049
(918) 583-5637 fax
frasier@tulsa.com e-mail